

TPS

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

CARLO VERBERG ET AL

Group Art Unit 3643

Coper

6-20-02

Serial No.: 09/832,119

Filed: April 11, 2001

For: A METHOD OF COOLING ANIMALS

RECEIVED

JUN 19 2002

INFORMATION DISCLOSURE STATEMENT

GROUP 3600

To the Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

This is an Information Disclosure Statement which lists prior art that may be considered of interest in the examination of subject Application.

This Information Disclosure Statement should not be construed as a representation that an exhaustive search of the prior art has been conducted or that other material information as defined under 37 CFR §1.56(a) may not exist.

It is submitted, however, that this Statement complies with the requirements of 37 CFR §1.56, §1.97 and §1.98 and the Manual of Patent Examining Procedure, Section 609. If, for any reason, the Examiner to whom this Application is assigned for examination considers otherwise, it is respectfully requested that the undersigned be contacted so that any deficiencies can be corrected.

The following documents are submitted herewith:

1. U.S. Patent No. 4,345,548, to Krebs et al, which issued August 24, 1982, is directed to a throat protector. The patent discloses a neck protector which is attached to the underside of the neck of a calf between the forelegs to adjacent the calf's mouth. The purpose of the protector is to provide a neck protection that permits a calf or other animal to be roped in a rodeo and yet not be harmed. The protector does not hinder movements of the animal.

2. U.S. Patent No. 4,693,852, to Gordon, issued September 15, 1987, and is for a droplet injection system for evaporative cooling of animals. The patent discloses an apparatus for uniformly evaporatively cooling a rotating mass of air which travels toward and contacts the ground. The air mass is cooled with droplets which are injected therein and either remain suspended in the air mass or evaporate prior to the air mass contacting the ground. Also a cooled microclimate at the skin and fur of an animal is produced by directing a flow of evaporatively cooled air over the animal, thereby wetting the surface of the animal, and directing a flow of air over the animal that has been so wetted to evaporate water therefrom. To promote the formation of the microclimate, a cooling zone is provided which, for dairy cows, extends from one foot above the ground to five feet above the ground and efficiently cools a dairy cow without wetting the ground by permitting droplets to travel from the apparatus directly to the ground or by permitting excess water to accumulate on the cow and drip from the cow to the ground.

3. U.S. Patent No. 5,816,190, of October 6, 1998, wherein the inventor is van der Lely, is directed to an apparatus for milking animals. This patent discloses a milking compartment for milking animals, such as cows, which has a flexible deck that is supported against a metal plate and comprises an endless member. The milking compartment is also provided with a medical instrument by means of which the blood pressure, heartbeat and temperature of an animal in the milking compartment can be determined. Also sensors are provided by which the physical state

of an animal's legs can be determined. A spraying device is also provided for spraying warm water against the animal's legs which, after being sprayed, are dried by a ventilator blowing warm air against them. Further, a flow of air is provided by a ventilator which is directed towards an animal in the milking compartment wherein an air current is directed along the back of the animal in the milking compartment. Yet further, an air current is blown against the animal's udder wherein the air current has been warmed. In addition, clean fresh air from outside the stable or cowshed in which the milking compartment is located may be provided.

4. U.S. Patent No. 5,970,911, of October 26, 1999, to van der Lely, discloses a construction, which includes an accommodation for animals. A milking compartment receives an animal, such as a cow, and a massage member 8 and brushing member 30 are provided for massaging and brushing an animal in the milking compartment.

5. U.S. Patent No. 6,079,360, of June 27, 2000, to Birk, discloses a milking compartment for receiving an animal to be subjected to animal-related actions. To attract an animal into the milking compartment and make it feel comfortable, a conditioning device having an air delivery means is provided. The animal-related action may include not only automated milking, but also medical treatment, teat and body cleaning, insemination, automatic feeding and the like. By providing an air delivery means it is possible to provide a climate in the milking compartment which is comfortable for the animal and thus may attract the animal to enter the milking compartment. The air pressure in the milking compartment may be higher than the ambient pressure outside the milking compartment to prevent the surrounding atmosphere from reaching sensitive electronic components in an electronic control device within the milking compartment. Air flow introduced into the milking compartment is clean air and is directed towards the cow which is likely to be present. The animal receives a smooth stream of air which is particularly

comfortable for the animal. An air conditioning device may regulate temperature and the humidity to which the animal is subjected while in the milking compartment.

6. UK Patent Application No. GB 2 313 032 A, of Harding et al, was published November 19, 1997, and is directed to an animal actuated cooling spray. As prior art, this Application mentions misting systems which are installed in livestock buildings and are controlled by an electronic thermostat to deliver a cooling water mist over the entire building. A self-operated cooling device is provided comprising a nudge plate for activation of a valve which has a timed delay feature for spraying a misting jet of cooling liquid over the animal for a period of time of one to fifteen seconds after actuation.

7. European Patent Application No. EP O 728 413 A1, of van der Lely, which was published August 28, 1996, appears to be directed to the same subject matter described in paragraph 3 above for U.S. Patent No. 5,816,190.

8. International Application No. PCT/SE97/01161, International Publication No. WO 98/04121, published February 5, 1998, of Birk, appears to be directed to the same subject matter as U.S. Patent No. 6,079,360, discussed in paragraph 5 above.

9. International Application No. PCT/NL97/00278, International Publication No. WO 97/43897, of van der Lely, appears to be directed to the same subject matter as U.S. Patent No. 5,970,911, which is discussed in paragraph 4 above.

10. Belgium Patent No. 439919A, of Auergesellschaft Aktiengesellschaft, discloses what appears to be, from the drawing, a shield for a horse's eyes which is attached to the head of the horse by straps. This Brevet D'Invention of Belgium is dated November 29, 1940.

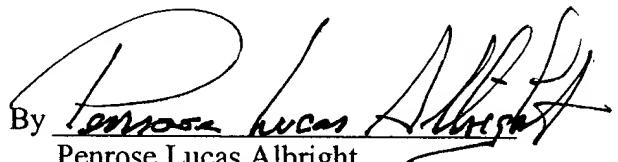
11. German Patentschrift No. 314419, is dated September 18, 1918, and is identified as being of Hauptner. The patent discloses what, from the drawings, appears to be a shield which is strapped over the head of a horse to protect the eyes of the horse.

12. German Deutsche Patentamt Senczek No. 1 926 019, which is dated October 28, 1965, discloses in its drawing a cover or shield which is strapped to a cow to cover the cow's udder and teats.

Several of the above documents are in a language other than English and, if requested by the Patent Examiner, a translation will be obtained and presented.

Respectfully submitted,

MASON, MASON & ALBRIGHT

By 
Penrose Lucas Albright
Registration No. 19,082

2306 South Eads Street
P.O. Box 2246
Arlington, VA 22202
Tel (703) 979-3242
Fax (703) 979-2526

Filed: June 13, 2002